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*Zydus Pharmaceuticals USA, Inc. and*  
*Cadila Healthcare, Limited*

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

TAKEDA PHARMACEUTICAL  
COMPANY LIMITED, TAKEDA  
PHARMACEUTICALS NORTH  
AMERICA, INC., TAKEDA  
PHARMACEUTICALS LLC,  
TAKEDA PHARMACEUTICALS  
AMERICA, INC., and ETHYPHARM,  
S.A.,

Plaintiffs,

v.

ZYDUS PHARMACEUTICALS USA  
INC. and CADILA HEALTHCARE  
LIMITED,

Defendants.

CIVIL ACTION NO:  
3:10-CV-01723-JAP-TJB

**NOTICE OF DEFENDANTS'  
MOTION IN LIMINE TO  
PRECLUDE EVIDENCE**

**Return Date: April 1, 2013**

**TO ALL PARTIES AND THEIR COUNSEL OF RECORD:**

**PLEASE TAKE NOTICE** that on April 1, 2013 or as soon thereafter as  
counsel can be heard, the undersigned counsel for Defendants Zydus  
Pharmaceuticals, USA, Inc. and Cadila Healthcare, Limited (collectively "Zydus")

will move pursuant to Local Civil Rule 7.1(i) before the Honorable Joel A. Pisano, U.S.D.J., at the United States District Court for the District of New Jersey, for an Order granting Zydus' Motion *in limine* to Preclude Evidence of Instrument Testing.

**PLEASE TAKE FURTHER NOTICE** that in support of its Motion, Zydus will rely on the Declaration of Vincent P. Rao, submitted herewith.

**PLEASE FURTHER TAKE NOTICE** that a proposed form of Order is submitted herewith in accordance with L. Civ. R. 7.1(e).

Dated: March 1, 2013

KELLEY DRYE & WARREN LLP

By: *s/Vincent P. Rao*  
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*Attorneys for Defendants  
Zydus Pharmaceuticals USA, Inc.  
and Cadila Healthcare Limited*

**CERTIFICATE OF SERVICE**

I hereby certify that on March 1, 2013 I caused to be served a copy of the foregoing Defendants Zydus Pharmaceuticals, USA, Inc. and Cadila Healthcare's Motion *in limine*, and the accompanying Declaration of Vincent P. Rao submitted therewith, dated February 28, 2013, together with a Proposed Order, on each interested party in this action in accordance with the electronic filing procedures of the United States District Court for the District of New Jersey via ECF and email on the following.

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Dated: March 1, 2013

/s/Vincent P. Rao II

Vincent P. Rao II